

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Clemons et al.

Atty Docket No: 385A US

Serial No.:

Filed: 5 November 1999

Title: FK506-Based Regulation of Biological Events

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

| |
|---|
| NAME OF SMALL BUSINESS CONCERN: <u>ARIAD Pharmaceuticals, Inc.</u> |
| ADDRESS OF SMALL BUSINESS CONCERN: <u>26 Landsdowne Street, Cambridge, MA 02139</u> |

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the application identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

| |
|---|
| Name of Nonprofit Organization: <u>PRESIDENT AND FELLOWS OF HARVARD COLLEGE</u> |
| Address of Nonprofit Organization: <u>17 QUINCY STREET, CAMBRIDGE, MA 02138</u> |

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME/TITLE OF PERSON SIGNING: DAVID L. BERSTEIN

ADDRESS OF PERSON SIGNING: ARIAD PHARMACEUTICALS, INC.
26 LANDSDOWNE ST, CAMBRIDGE, MA 02139

SIGNATURE: David L. Bernstein DATE: 11/4/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Clemons et al.

Atty Docket No.: **385A US**

Serial No.:

Filed: 5 November 1999

Title: *FK506-Based Regulation of Biological Events*

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

I HEREBY DECLARE THAT I AM AN OFFICIAL EMPOWERED TO ACT ON BEHALF OF THE NONPROFIT ORGANIZATION IDENTIFIED BELOW:

Name of Nonprofit Organization: PRESIDENT AND FELLOWS OF HARVARD COLLEGE
Address of Nonprofit Organization: 17 QUINCY STREET, CAMBRIDGE, MA 02138

TYPE OF NONPROFIT ORGANIZATION
☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

I HEREBY DECLARE THAT THE NONPROFIT ORGANIZATION IDENTIFIED ABOVE QUALIFIES AS A NONPROFIT ORGANIZATION AS DEFINED IN 37 CFR 1.9(E) FOR PURPOSES OF PAYING REDUCED FEES TO THE UNITED STATES PATENT AND TRADEMARK OFFICE REGARDING THE INVENTION IDENTIFIED ABOVE.

I HEREBY DECLARE THAT RIGHTS UNDER CONTRACT OR LAW HAVE BEEN CONVEYED TO AND REMAIN WITH THE NONPROFIT ORGANIZATION REGARDING THE ABOVE-IDENTIFIED INVENTION.

IF THE RIGHTS HELD BY THE NONPROFIT ORGANIZATION ARE NOT EXCLUSIVE, EACH INDIVIDUAL CONCERN OR ORGANIZATION HAVING RIGHTS IN THE INVENTION IS LISTED BELOW* AND NO RIGHTS TO THE INVENTION ARE HELD BY ANY PERSON, OTHER THAN THE INVENTOR WHO WOULD NOT QUALIFY AS AN INDEPENDENT INVENTOR UNDER 37 CFR 1.9(C) IF THAT PERSON MADE THE INVENTION, OR BY ANY CONCERN WHICH WOULD NOT QUALIFY AS A SMALL BUSINESS CONCERN UNDER 37 CFR 1.9(D) OR A NONPROFIT ORGANIZATION UNDER 37 CFR 1.9(E).

*NOTE: SEPARATE VERIFIED STATEMENTS ARE REQUIRED FROM EACH NAMED PERSON, CONCERN OR ORGANIZATION HAVING RIGHTS TO THE INVENTION AVERRING TO THEIR STATUS AS SMALL ENTITIES (37 CFR 1.27)

NAME OF SMALL BUSINESS CONCERN: ARIAD Pharmaceuticals, Inc.
ADDRESS OF SMALL BUSINESS CONCERN: 26 Landsdowne Street, Cambridge, MA 02139

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I ACKNOWLEDGE THE DUTY TO FILE, IN THIS APPLICATION OR PATENT, NOTIFICATION OF ANY CHANGE IN STATUS RESULTING IN LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS PRIOR TO PAYING, OR AT THE TIME OF PAYING, THE EARLIEST OF THE ISSUE FEE OR ANY MAINTENANCE FEE DUE AFTER THE DATE ON WHICH STATUS AS A SMALL ENTITY IS NO LONGER APPROPRIATE. (37 CFR 1.28(b))

I HEREBY DECLARE THAT ALL STATEMENTS MADE HEREIN OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENT WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE, AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION, ANY PATENT ISSUING THEREON, OR ANY PATENT TO WHICH THIS VERIFIED STATEMENT IS DIRECTED.

NAME/TITLE OF PERSON SIGNING

ADDRESS OF PERSON SIGNING

SIGNATURE

DATE

11/4/99

**JOYCE BRINTON, DIRECTOR
OFFICE OF TECHNOLOGY & TRADEMARK LICENSING
HARVARD UNIVERSITY**

**DECLARATION FOR UTILITY OR
DESIGN PATENT APPLICATION**

- ☐ DECLARATION SUBMITTED WITH INITIAL FILING
☐ DECLARATION SUBMITTED AFTER INITIAL FILING

Attorney docket number: 385A US
First Named Inventor: Clemons, P.

Application No:
Filing Date: November 5, 1999
Group Art Unit:
Examiner Name:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am one of the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled FK506-Based Regulation of Biological Events the specification of which

[X] is attached hereto.

[] was filed on _____ as Application Serial No. _____ and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR 1.56(a).

I hereby claim foreign priority benefits under Title 35, USC 119 or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| <u>Number</u> | <u>Country</u> | <u>Foreign Filing Date</u> | <u>Priority Claimed</u> |
|---------------|----------------|----------------------------|-------------------------|
|---------------|----------------|----------------------------|-------------------------|

I hereby claim the benefit under Title 35, USC 119(e) of any **United States provisional application(s)** listed below

| <u>Number</u> | <u>Filing Date</u> |
|---------------|--------------------|
| 60/107,473 | November 6, 1998 |

I hereby claim the benefit under Title 35, USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, USC 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>Appln. Ser. No.</u> | <u>Filing Date</u> | <u>Status</u> |
|------------------------|--------------------|---------------|
|------------------------|--------------------|---------------|

As a named inventor, I hereby appoint the following registered patent attorney and agent to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David L. Berstein, Registration No. 31,235
Sharon F. Hausdorff, Ph.D. Registration No. 43,664

of: ARIAD Pharmaceuticals, Inc.
26 Landsdowne Street
Cambridge, Massachusetts 02139-4234
Telephone: 617-494-0400/ Facsimile: 617-494-0208

Direct all correspondence to:

David L. Berstein, Registration No. 31,235
ARIAD Pharmaceuticals, Inc.
26 Landsdowne Street
Cambridge, Massachusetts 02139-4234
Telephone: 617-494-0400 Ext. 266 / Facsimile: 617-494-0208

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Paul A. Clemons

Inventor's signature _____ Date _____

Residence 23 Elm Street #109, Somerville, MA 02143

Post Office Address Same

Citizenship US

Full name of second inventor Brian G. Gladstone

Inventor's signature _____ Date _____

Residence 50 Harbor Point Blvd. #208, Dorchester, MA 02125

Post Office Address Same

Citizenship US

Full name of **third inventor** Abhinav Seth

Inventor's signature _____ Date _____

Residence 300 Engle Street, Tenafly, NJ 07670

Post Office Address Same

Citizenship US

Full name of **fourth inventor** Stuart L. Schreiber

Inventor's signature _____ Date _____

Residence 434 Marlborough Street, Boston MA 02115

Post Office Address Same

Citizenship US